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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/6/2019

December 6, 2019

FILED VIA CM/ECF

The Hon. Valerie E. Caproni
Thurgood Marshall
United States Courthouse
Courtroom 443
40 Foley Square
New York, NY 10007
CaproniNYSDChambers@nysd.uscourts.gov

Re: Travelers Casualty and Surety Company of America v. Cohen, Weiss and Simon LLP, et. al., Case No. 19-cv-7297 – Consent Request for Revised Briefing Schedule for Plaintiffs’ Motion to Dismiss Counterclaims

Dear Judge Caproni:

Defendants Cohen, Weiss and Simon LLP, Jani K. Rachelson, and Marcelle J. Henry (the “Cohen Weiss Defendants”), with the consent of Plaintiff Travelers Casualty and Surety Company of America (“Travelers”), respectfully request a revised briefing schedule relating to Plaintiff’s FRCP 12(b)(6) Motion to Dismiss Counterclaims [Dkt. 50].

Plaintiff filed its Motion on November 20, 2019 and the parties have not yet set a date for the Motion to be heard. In order to accommodate Defendants’ counsel’s arbitration schedule and upcoming holidays, the parties respectfully request the Court’s permission to set the deadline for Defendants’ to file their opposition brief on December 20, 2019 and to set the deadline for Plaintiff to file its reply brief on January 10, 2020.

This is the parties first request for an extension with respect to the Motion [Dkt. 50]. Thank you for your attention to this matter. A copy of a proposed order is filed herewith.

Sincerely,

/s/ Natasha Romagnoli
Natasha Romagnoli
Partner

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA,

Plaintiff,

v.

COHEN, WEISS AND SIMON LLP; DAVID R.
HOCK; JANI K. RACHELSON; AND
MARCELLE J. HENRY,

Defendants.

Case No.: 19-cv-7297-VEC

PROPOSED ORDER

Upon consideration of the Motion to Dismiss Counterclaims submitted by Plaintiff Travelers Casualty and Surety Company of America, and all other papers and proceedings had herein, the Court hereby orders that:

1. The request is GRANTED; and
2. Defendants shall file an opposition to the Motion to Dismiss on or before December 20, 2019.
3. Plaintiff shall file a reply brief on or before January 10, 2020.

IT IS SO ORDERED.

Dated: 12/06/2019, 2019



The Honorable Valerie Caproni
United States District Judge